

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANDRE JAMES CLARK, SR.,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.

Defendant.

1:24-cv-00720-HBK (PC)

ORDER TRANSFERRING CASE TO
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA
AND CLOSING CASE IN FRESNO
DIVISION

Plaintiff, a state prisoner, initiated this *pro se* action by filing a civil rights complaint under 42 U.S.C. § 1983 accompanied with an application to proceed *in forma pauperis*. (Doc. Nos. 1, 2). Because the events giving rise to the cause of action occurred in Solana County, which is located within the venue of the Sacramento Division of this Court. *See* 28 U.S.C. § 1391(b); *see also Ziegler v. Indian River County*, 64 F.3d 470, 474 (9th Cir. 1995) (reviewing federal court jurisdiction and venue in a § 1983 action). Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper court may, on the court's own motion, be transferred to the correct court. The Court finds it in the interests of justice to transfer this case to the Sacramento Division under 28 U.S.C. § 1406(a) and Local Rule 120(f).

Accordingly, it is **ORDERED**:

1. The Clerk of Court is directed to transfer this action to the Sacramento Division of

1 this Court and close the case in this division.

2 2. All future filings shall refer to the new Sacramento case number assigned and shall be
3 filed at:

4 United States District Court
5 Eastern District of California
6 501 "I" Street, Suite 4-200
7 Sacramento, CA 95814

8 3. This Court defers rulings on Plaintiff's request to proceed *in forma pauperis* (Doc. No.
9 2) to the transferee court.

10 Dated: June 21, 2024

11 
12 HELENA M. BARCH-KUCHTA
13 UNITED STATES MAGISTRATE JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28